

EXHIBIT D

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of:)	
)	
Petition for Declaratory Ruling to Clarify)	
Statutory Basis for Rule 64.1200(a)(3)(iv))	CG Docket No. 02-278
and/or for Ruling Regarding Substantial)	
Compliance with Section 64.1200(a)(4)(iii))	CG Docket No. 05-338
and (iv) and/or Waiver)	


PETITION OF ACS FAX RECIPIENTS

1. We, the undersigned, are medical practitioners, or work in administrative roles for medical practices, in the United States that serve patients. Each of us works in the field of radiology, oncology, neurology, or related practices. In serving our patients, it is critical that we are aware of medications that are available for treatment, including when new medications are approved for use and when existing medications are approved for new indications, particularly given the serious, often life-threatening conditions our practices treat. We often find that the fastest and most efficient manner to learn about this information is by fax, which also is a primary method we use to communicate with pharmacies regarding prescriptions.

2. We also believe that it is beneficial to know the potential methods of distribution (mail order, specialty pharmacy, and retail pharmacies, etc.) and which suppliers provide access to these medications. We have referred, and intend to continue to refer, patients to ACS for specialty pharmacy services, and we believe their high level of customer service, responsiveness, and communication is beneficial to our practice, and the patients we serve. We have received informational documents via fax from ACS, discussing the medications and services that are available through them. We find it helpful to receive such faxes because they provide quick and


accessible information about prescription drug treatments and availability that allow us to better serve our patients, and the inclusion of the referral forms with these communications allows us to easily refer the appropriate patients to ACS so that they can immediately begin receiving the necessary prescriptions.

3. We have always seen and understood that the ACS faxes we received provided us with information as to how to opt-out of receiving additional ACS faxes in the future. However, because we found the faxes to be informative and useful, we have not wanted to opt-out, and in fact we would like to continue to receive them.

<u>Printed Name</u>	<u>Signature</u>	<u>Medical Office or Practice</u>
Jelene Hopkins		Cancer Center of Sarasota

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BARBARA FERGUSON		MONMOUTH MEDICAL LOWE Branch NJ

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Diane Trezza	Diane Trezza	HOPE